

## REMARKS

Claims 24-83 remain pending in the patent application.

### I. THE CLAIM TO PRIORITY

In paragraph 1, the claim to priority is acknowledged to be perfected.

### II. THE DRAWING OBJECTIONS

In paragraphs 2-4 of the Office Action, the drawing are objected to.

The Figure 9 of the drawing is amended to include the reference label "203" in view of the points raised in paragraph 3. Also enclosed is a copy thereof with the change marked in red ink. The reference label "201" is also eliminated.

In view of these amendments, reconsideration and withdrawal of the drawing objection is respectfully requested.

### III. THE DOUBLE PATENTING REJECTION

In paragraphs 11-12, the pending claims are provisionally rejected based on a judicially created double patenting rejection in view of the claims in copending application nos. 10/661,254 (CV-0043), 10/645,686 (CV-0039) and 10/661,031 (CV-0039A).

It is respectfully submitted that a terminal disclaimer will be submitted at the appropriate time to overcome these rejections.

For this reasons, it is respectfully requested that the judicially created double patenting rejection be reconsidered and withdrawn.

#### IV. THE PRIOR ART REJECTIONS

In paragraphs 14-17 of the Office Action, claims 24-27, 35, 45, 48-49, 51, 53, 55-56, 58-59, 61-67, 69-73, 75-80 and 82-83 are rejected as being obvious based on a proposed combination of the references.

The main independent claims 24, 65, 71 and 77 are amended to clarify the present invention consistent with that discussed in a recent phone conversation with the Examiner. In view of this, these claims are deemed to be in condition for allowance.

The remaining rejected claims depend directly or indirectly from independent claims 24, 65, 71 or 77, contain all the limitations thereof, and are deemed patentable over the proposed combination for all the reasons discussed above.

V. CONCLUSION

Reconsideration and early allowance of the claims is earnestly solicited.

If the Examiner has any questions regarding this Amendment, Applicant's counsel can be reached at 203-626-3331 (direct dial) between the hours of 8:00 a.m. and 6:00 p.m. or by E-mail at [gdepardo@cyvera.com](mailto:gdepardo@cyvera.com).

Respectfully submitted,



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FIG. 9

